

C. P. HUNTINGTON'S CONFESSIONS IN MEMORY.

Senator Morgan Continues His
Tilt with the Pacific Rail-
road Magnate.

A Denial That the Contract Com-
pany's Books Had Been De-
stroyed by His Order.

ACCUSED OF EVERYTHING BUT PIRACY.

House Committee on Pacific Railroads
Also Gives a Hearing on Matters Per-
taining to That Road—Fund-
ing Bill of No Effect.

Washington, Feb. 20.—Collyer P. Huntington, president of the Southern Pacific Railway Company, was again before the Senate Pacific Railroads Committee this morning, and Senator Morgan continued his examination as to the relations between the Central Pacific and the Contract and Finance Company. The stock received by the latter company for building the Central Pacific, Mr. Huntington said, was sold, and the proceeds were used to pay off the debts of the Construction Company. He could not recall the exact amount that remained after the debts were paid, but thought it approximately \$2,000,000. Mr. Hopkins, his partner, had attended to the bookkeeping, and he could not say what his share of the division was. He now owned, he said, 6,000 shares of Central Pacific stock, and had never owned a larger block.

Mr. Morgan then produced the report of the Government Commissioners, Messrs. Anderson and Littler, and the minority report of Governor Pattison, and asked Mr. Huntington if he had read them, to which the latter replied that possibly he had. Mr. Morgan then asked Mr. Huntington's views on various statements made in the reports (which he read), but received non-committal replies. Mr. Huntington stating that it was so long ago that he could not be positive.

Regarding the report of Governor Pattison, Mr. Huntington said he thought from what he knew of it that it was largely a copy of the Sam Brannon report made many years ago.

Mr. Morgan expressed the hope that Mr. Huntington would read the Pattison report, for he wished to examine him on it to see if that report had misrepresented him (Huntington) in any way.

Mr. Huntington remarked sarcastically that he was glad the Senator was looking out for his (Huntington's) interests.

Mr. Morgan said he intended the examination should be absolutely impartial in every way. He was not making a personal fight on Mr. Huntington, but was trying to do his duty as a member of the committee in getting at the facts in the case.

WHY IT WAS FORMED.
He then turned his attention to the Contract and Finance Company, its organization and the awarding of the contracts to that company for building the various sections of the Central Pacific. Mr. Huntington said the company was formed because no one could be found to take such enormous contracts because of the liability involved. The Contract company was formed, where the liability was limited to the amount of the stock of the company in New York and Boston, and was in the East when Mr. Hopkins had telegraphed him as to how much stock the firm of Huntington & Hopkins should take. He had replied: "Take as little as you can and as much as you must."

In response to Senator Morgan's question as to what debts were outstanding when the Central Pacific was completed, outside of the bonded debt, Mr. Huntington said he did not know that there were any, but there might have been. At the time of the completion of the road, the Central Pacific, and sold in the neighborhood of 28,000,000. Some of these shares sold as high as eighty-five cents, and some sold as low as fifteen cents.

In the further course of the cross-examination, Mr. Huntington said that after the Contract and Finance Company had been destroyed, or ordered to be destroyed, Mr. Huntington said he knew nothing of it. And if they had been destroyed, he said, it was because the work of the company had been concluded and finally settled, and the books were as in the hands of the directors. If they had not been thus destroyed, they probably went to some junk shop.

In discussing the report of the Government directors, Mr. Huntington said he had accused him of almost everything but piracy on the high seas.

"Possibly," said Mr. Morgan, "that was because there was no water along the line of your property."

"Yes, there was plenty of water there," said Mr. Huntington.

Again, when the cost of the construction of the road, as set out in the report, was under discussion, Mr. Huntington said the Commission must have got its information through the Sutter-Examiner combine, or the Examiner-Sutter combine, as he had not known which was the head and which the tail.

Without further incident the hearing was continued until to-morrow morning.

HOUSE COMMITTEE HEARING.
The House Committee on Pacific Railroads to-day heard E. Ellery Anderson and W. J. Coombs, Government Directors of the Union Pacific, on matters pertaining to that road.

Mr. Anderson favored the sale of the Central and Union Pacific together. He thought the Government would realize more in this way than any other. The two roads, he said, would form a link between the Missouri River to the Pacific Ocean, and would increase business capacity, and so many railroads would be built, and the Government would be doing so, and said that it was especially the case when the matter was presented to Congress. He said that he saw how any financial bill could be formed giving the Government a first lien on the roads, and that the rate of interest was low as 2 per cent.

Mr. Coombs said it was the original intention of the Government to have the Union and Central Pacific form one grand trunk line from the Missouri River to the Pacific coast. He had carefully considered the various reorganization schemes and had reached the conclusion that the matter should be taken as a business proposition. This was to have the Government put the roads in such condition that the business interests of the country could bid for them if offered for sale. He favored having the Government foreclose its liens on the roads and sell them to the highest bidder. He said that the Government would not contest for their rights. The Union and Central Pacific, the Kansas Pacific, the Santa Fe, the Central, Pennsylvania, Southern Pacific, and other big roads would all bid for the property. He did not think that the House



Early Mass in James Street Church.

Roman Catholic and Episcopal churches yesterday celebrated Ash Wednesday, the first day of Lent. In order to accommodate working men mass was celebrated at the James Street Catholic Church at 5 o'clock in the morning. A large crowd of worshippers was present. Among them were many members of Colonel Waring's street sweeping brigade. These men stopped in the church while on their way to work. They left their brooms and shovels in the vestibule while they were at their devotions.

BIERCE ON HUNTINGTON.

The Railroad Magnate Receives a Severe Lashing from the Pacific Coast Journalist.

Washington, Feb. 20.—"When Collyer P. Huntington concluded not to pay the United States the money he owes it," says the Evening Star, "he did something which makes him responsible for the presence of Ambrose Bierce in Washington. Maybe that result was surprising; it certainly was unwelcome, for of all the clever talkers and forceful writers with whom this country is blessed there are few who can excel the man who was sent here by the San Francisco Examiner to oppose the Funding Bill which gives to Huntington & Co. one hundred additional years of credit."

"Ordinarily soft of speech and possessed of a charming manner, Mr. Bierce is not one who would appear on casual inspection as a man of war. His appearance, therefore, is deceptive. He is, emphatically, a fighter. He was so during the war of the rebellion, serving much of the time on the staff of the late General Hazen, and although he ceased to be a soldier when the great conflict closed, he has carried into his journalistic career the methods of a skilful combatant. But he is not a mercenary. During his thirty years of residence in California he has undoubtedly had many opportunities to enter the service of the gigantic monopoly he has fought and is now fighting, but those opportunities were neglected so persistently that he is now here as the David of the San Francisco Examiner and the people of California."

"Mr. Bierce's curly hair seemed to develop new kinks and his sandy gray mustache was positively fierce when a reporter chatted with him about Huntington men, means and methods at the Hotel Page this morning:

"California," said he, swinging one hand as though it were a sabre busily engaged in chopping the heads off the Pacific Railroad hydra, "has a grievance against Huntington; a grievance so great and so intensely real that no language of mine can adequately describe it. I might write about it with the utmost industry for a month, and yet the half would not be told. Here, in the East, there seems to be nothing like a reasonable conception of the injustice that has been done, and there is what seems to me to be strange lack of interest in a question of extraordinary moment to a large percentage of the American people."

"On the Pacific Coast it is a prime topic, and it will continue to be so long as those who are not of the railroads are being ground in the mills of monopoly."

"In California the interest is intense. At a meeting held to voice San Francisco's opposition to a measure similar to that now favored by Mr. Huntington, there was absolute unanimity, both indoors and outside, and there were fully 13,000 persons who could not secure admission to the big hall."

Collyer P.'s Wicked Greed.

"The great majority of those actively concerned folks knew, of their own knowledge, how much of wicked greed was centered in the group of which Collyer P. Huntington is now the only surviving figure; they knew how the directors of the Central Pacific Company had transferred

to themselves, as directors in a closely related organization, everything that could be regarded as worth having; they knew that this conscienceless gang had entered upon the work of railroad construction and operation poor men and had somehow or other—the details read like the report of a grand larceny trial—acquired from \$15,000,000 to \$30,000,000 each; they knew that competition in freight-carrying had been and still is systematically and murderously choked out of existence to the end that Huntington and his associates may become more and more wealthy; they knew—did these people, of whom 13,000 could not crowd into the meeting—that they, in common with the entire population of the Coast, had been and were being robbed; and they knew also that, unless strenuous protest was made, the carnival of dishonesty would know no present end."

"Of these things the good people of the East seem to be entirely unaware. Fed with falsehood by the Huntington Literary Bureau—a branch of which unquestionably exists in Washington—there is in the popular mind an idea here that California wants the funding bill to become law. Such a conclusion is entirely at variance with the facts."

"Why, the Examiner secured more than 200,000 signatures to an anti-funding petition, and did it in an incredibly short space of time, without extraordinary effort."

"One of the rather surprising features of the campaign is the unwillingness of the average legislator to admit testimony bearing upon the moral phase of the controversy. It ought to be quite plain that those who unrighteously possessed themselves of \$60,000,000 thirty years ago, and who have never given up one cent of either principal or interest, have no claim upon which to base a demand for an extension that would continue the outrageous conditions for a hundred years to come. We, therefore, plead with Congress—we who have been legally robbed—to foreclose the mortgage and give us a Government railroad from Omaha to San Francisco."

Extortion Was Their Lot.
"To exaggerate the extent of the evil against which we cry aloud is hardly possible. Extortion has been our lot and is likely to be so long as Huntington is in control. A large proportion of California's freight passes through his ultimate destination, being pushed right through to San Francisco, and is then sent back in the slow and fearfully expensive process of distribution. In some places the dealers have been compelled, in self-defense, to resort to the old-time six-mile wagon as a means of transportation; it could hardly be otherwise than cheaper than the exorbitant rates assessed by the railroad monopoly."

"For a while there gleamed forth in the darkness the possibility of water competition, but the Huntington crowd extinguished the glimmering light by subsidizing the steamboat lines to the tune of \$75,000 a month."

Allotted Incendary Gives Bill.
Mrs. Helen Louise Johnson, who is under indictment for arson in the first degree for having set fire to the Winona flats, No. 324 Central Park West, the night of November 23 last, was released in \$8,000 bail by Judge McMahon in General Sessions, yesterday. Leopold Heidenheim, of No. 43 Columbia street, became her surety.

UP TO HER EARS In Gold.
Don't Fall to order the Sunday Journal from your newsdealer and read the strange experience of a Journal woman in search of a new sensation.

of golden coin. We are doing our best to have the case considered on its merits, and our only arguments will be those of reason.

"Whether we win or lose, there will be no taint upon our plea, no suspicion of dishonest motive; our arguments will be devoid even of the smell of fire."

Listened to His Tale of Woe.
"Specimens of Mr. Bierce's caustic ability appear daily in the San Francisco Examiner. Mr. Bierce believes in personalities, and his paper prints them conspicuously and with evident relish."

"Commenting on the appearance of Mr. Huntington before the Senate Committee on Pacific Railroads, Mr. Bierce writes: "To that august body he expounded himself with considerable prolixity. It listened to his tale of woe with the respect due to his wealth and the sympathy compelled by his reluctance to die and leave it. The sympathy, it may be remarked, is wasted on imaginary disaster. Before this good man shall be long in the New Jerusalem he will undoubtedly find an opportunity to pull up a pack-load of blocks from the golden pavement and retire to Hades to enjoy them like a gentleman."

"Mr. Huntington is not altogether bad. Thorough severe, he is merciful. He tempests invective with falsehood. He says ugly things of his enemy, but he has the tenderness to be careful that they are mostly lies. So Mayor Sutro may reasonably hope to survive Mr. Huntington, though doubtless Mr. Huntington's rancor, blown about in space as a pestilential vapor, will outlive all things that be. It is his immortal part."

MRS. FLEMING GOT HER GIRL.
The Last of Thirteen Children, and the Gerry Society Wanted Her.
There was a contest in Centre Street Police Court yesterday for the possession of Emily Fleming, the pretty six-year-old daughter of an unfortunate woman who was in danger of being dispossessed at No. 150 Cherry street on one of the bitter days of this week. The child was found on the street crying with the cold, and was taken to the rooms of the Gerry Society. Agent King wanted Magistrate Crane to send the girl to an institution, saying the mother was a heavy drinker, and that this child was the only living of thirteen. This was denied in part by Lawyer Thomas F. Cherry, who was interested in having the father sent to an insane asylum a year ago. He said he had seen the woman often, but had never seen her under the influence of liquor.

The Magistrate gave the child to the mother, who wept with joy as she thanked the Court.

WEISHEIS HELD FOR TRIAL.
He Shot James Stafford, a Crimean Veteran, During a Drunken Quarrel.

Charles Weisheis, of No. 797 East One Hundred and Sixty-first street, who shot James Stafford, of No. 875 Eagle avenue, Wednesday, was arraigned before Magistrate Wentworth in the Morrisania Court yesterday and held in \$1,000 bail for examination.

Stafford is nearly seventy years old and was a drummer boy in the English army during the Crimean war. He was unable to tell much of his fight with Weisheis, as he was drunk at the time. The examination will be continued Tuesday.

Then comes the clause by which Mr. De Fozzez is to collect from the public for the use of the lavatories. This provides that: "It shall be lawful for Alexander De Fozzez and those who may now or hereafter be associated with him, to erect, construct, maintain, operate, and manage public lavatories and kiosks at convenient points in, upon and along the streets, roads, avenues, and public places in cities and towns of the State, and to exhibit advertisements and signs thereon, subject to the restrictions, conditions and limitations hereinafter contained and provided."

The bill then provides that De Fozzez shall organize a corporation within two months after the passage of the act. Section 5 of the bill reads as follows: "The interior of the kiosks or such number of them as may be required may be used by the principal departments of the respective cities and towns for telephones, police, fire and ambulance calls, post office and express boxes, and such kiosks as are not required for the sale of necessary or convenient articles, as newspapers, etc."

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DE FOZZEZ HOPES TO CONTROL STREETS.

Asks the Legislature to Allow
Him to Erect Kiosks in
City Thoroughfares.

Would Give Him a Monopoly in the
Sale of Newspapers and
Magazines.

THE BILL INTRODUCED AT ALBANY.

Assemblyman George C. Austin was at
First Sponsor for the Measure, but
Now He Is Opposed to It.
Its Other Provisions.

Alexander De Fozzez hopes that the people of the State of New York will give him the right to take possession of the streets in every city and town, so that he may erect booths for the sale of papers, candles and chewing-gum and enrich himself and his partners. Incidentally, public lavatories are to be run in connection with these booths. The lavatories will be public in so far as the public will be allowed to use them at the rate of five cents a person. Not content with this double system of profit, Mr. De Fozzez also wants the right to lease the outside of his kiosks to firms which want to advertise their wares.

To get the right to carry out this scheme Mr. De Fozzez found it necessary to apply to the Legislature and have a bill introduced. So he hunted up George C. Austin, a lawyer, at No. 31 Nassau street, and a member of the Legislature. Mr. Austin is chairman of the Committee on the Affairs of Cities, and said he seemed pleased with Mr. De Fozzez's idea. A Kiosk is erected along the streets, he thought, would give the cities and towns a decidedly European appearance. So he introduced it under the caption: "An act to provide for the construction, maintenance and operation of certain structures in cities and towns for the promotion of public health and comfort."

TEXT OF THE BILL.
The proposed act was technically known as Assembly Bill No. 674. Its first clause provides that:

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the kind of advertisement Mr. De Fozzez may put in Section 11 reads: "All advertisements which shall be exhibited on the said structures shall be free from any objectionable features, and shall be on enameled metal, or specially prepared chemical paper on glass translucent both by day and night, which advertisements shall be subject to the approval of the proper authority before exhibition."

THE CITIES' SHARE.
All comes the clause which regulates the amount of money each city is to receive from the company. For five years it is provided that in cities having a population of 500,000 or more the company shall pay to the credit of the sinking fund of the city one per cent of its gross receipts. After the expiration of five years this sum to be paid to the city shall be reduced to the sum of one-half per cent. In cities having a population of less than 500,000 the payment is not to exceed one per cent at any time.

For a time Mr. De Fozzez's bill got along very well in the Legislature. It was read and referred to the Committee on Affairs of Cities, of which Mr. Austin is chairman. Now it has met with a reversal, and Mr. Austin himself has disowned it. In a communication to a friend in this city he says:

"I introduced Assembly bill No. 674, authorizing the construction of kiosks in the City of New York, and with the distinct understanding that I should not be committed in its favor, but be at liberty to repudiate it before the committee and the House. I deem it proper not only in justice to myself, but to the people I represent, to depart from the usual rule and to announce my position in regard to it at the present time. Instead of waiting until it comes up in committee, I was assured that the bill provided only for the erection of structures similar to those of the large European cities and that the bill in its general features would have the approval of the city authorities."

"The bill, however, has several features so objectionable that it cannot fail to meet an adverse fate. Personally I am unalterably opposed to it. I will never favor any legislation that will so materially interfere with the business of those who are now affected by it. The bill contains various articles contemplated in this bill. I refer especially to newswriters. In most cases their living is already scientifically precarious. This feature alone should kill the bill."

JUBILEE IN FIVE POINTS.

Fiftieth Anniversary of the Mission's Found-
ing to Be Celebrated in the
New Home.

The golden jubilee anniversary of the famous Five Points Mission at its magnificent new home, No. 45 Park street, will take place on Friday evening, February 28. At the same time the formal opening of the new \$150,000 home will take place. The celebration will take the form of a reunion of former pupils of the school, hundreds of young and middle-aged men who in former years were aided in building the foundations for their successful old mission. Hundreds of respected business and professional men received the benefit of thorough and careful training at the Five Points Mission, and are not ashamed to acknowledge it.

Mr. J. Fletcher Shera, of No. 6 Wall street, is chairman of the Committee of Arrangements and has charge of the details of the jubilee. The first dress rehearsal by Hon. Thomas L. James, Senator Jacob A. Cantor, Robert Macley, president of the Knickerbocker Trust Company, and St. Clair McKelway, editor of the Brooklyn Eagle.

A feature of the programme will be musical selections and other exercises by the pupils of the mission school. The Five Points Mission is the pioneer in industrial work in New York City. It is the House of Industry and several other organizations of the kind have had their origin and development. The site of the present building was formerly occupied by a brewery, and was known as "The Old Brewery." Fifty years ago the "Brewery" was the synonym for crime and evil. The neighborhood reeked with crime, and it was dangerous, according to the police records of the time, to pass through the neighborhood unharmed, even in the sunlight.

A band of women, under the auspices of the New York Ladies' Home Mission Society of the Methodist Episcopal Church, overcame apparently insurmountable obstacles, and succeeded in establishing a mission in the Five Points. The first audience was described by an eye witness as "a vivid representation of hell." Signal success, however, attended the efforts of the brave women, and when larger apartments became necessary "The Old Brewery" was selected as the site for a permanent mission. At that time the place was known on both continents as the headquarters of crime, and was often referred to as "Murderers' Alley" and "Den of Thieves."

The work of the Five Points Mission is purely benevolent. It is both religious and educational. The mission is supported entirely by voluntary contributions. The reading rooms are open at all times and there are several hundred children receiving tuition at the mission. The officers of the mission are: First directress, Mrs. Joseph A. Wright; second directress, Mrs. Joseph A. Wright; third directress, Mrs. Holstein; fourth directress, Mrs. J. H. Thompson; fifth directress, Mrs. John Reid; sixth directress, Mrs. John Reid; seventh directress, Mrs. John Reid; eighth directress, Mrs. John Reid; ninth directress, Mrs. John Reid; tenth directress, Mrs. John Reid.

BADLY WANTED BY BRITAIN.
David Breen Arrested for Embezzling from the City of Dublin.

David Breen was on trial before United States Commissioner Shields yesterday charged with having embezzled £175 from the city of Dublin, where he was superintendent of the fruit market up to December last.

Breen's counsel, Joseph F. Keene and Colonel Horn, endeavored to show that the charge of embezzlement was untrue, supported by the British Government, which really wanted Breen for political purposes. Detective Sergeant Deane, of the Irish Constabulary, was examined and depositions of Dublin officials were read in support of the charge of embezzlement. The trial was postponed for one week.

KILLED IN AN ELEVATOR SHAFT

Barnett Fell Three Stories and Received a Fracture of the Skull.

Jacob Barnett, seventeen years old, of No. 19 Forsyth street, died at the Hudson Street Hospital, last evening, from the effects of injuries received by falling down an elevator shaft at No. 20 Walker street.

Barnett was employed as a general helper in the shirt manufactory of Samuel A. Kintner, 20 Walker street. He was carrying a load of goods on the freight elevator when he was struck by one of the boxes, which had slipped from the hands of the workmen, and was precipitated down the shaft, a distance of three stories. He received a compound fracture of the skull.

Manufacturer Hayden Robbed.

George B. Hayden, a manufacturer of specialties, who lives at the Imperial Hotel, went to Jefferson Market Court yesterday to see Wilson of No. 24 West Thirty-fifth street, had been arrested on a charge of stealing \$200 from him at the Hotel Hobart, West Twenty-fourth street, Wednesday night. Miss Wilson's friend, Mabel Lester, was also arrested, but no complaint was made against her. In court room Miss Wilson whispered to a reporter to go to her flat and get the money held in trust so to be used to make a search. The officers were informed and got the money. Miss Wilson was held in \$5,000 bail for trial.

Made Spurious Labels.

William G. Wolf, forty years old, who lives at No. 1220 Myrtle avenue, Brooklyn, and conducts a lithographic establishment at No. 10 Reade street, this city, was arrested yesterday afternoon on a warrant by Officer Tierney, of the Central Street Court Squad. Wolf is charged with making bogus labels in imitation of those used by the Reade manufactory, and with selling them at Turin, Italy. Wolf pleaded guilty and was held for trial. Michaelis, borough, a liquor dealer, of No. 4 Marion street, was also arrested yesterday in connection with the same case.

JUROR STETSON DENIED IT

Explained to Justice Bookstaver
That He Made No Charges
of Collusion.

He Only Repeated to De Lancey
Nicoll What the Eighth Juror
Had Said to Him.

LAWYER ASKED FOR PUNISHMENT.

Ex-District Attorney Repeated That the
Court's Integrity Had Been Assailed.
Stetson Paroled Pending a De-
cision on Monday.

After the jury in the David Levy insanity case had been discharged by Judge Bookstaver in the Supreme Court on Wednesday because Juror Henry Syren had been approached, Juror No. 4, Albert Stetson, spoke to De Lancey Nicoll, counsel for the defendant. According to the latter Stetson charged that Nicoll had been implicated in the attempt to cause a mistrial. On Mr. Nicoll's complaint Juror Stetson was ordered to appear yesterday and explain.

Lawyer De Lancey Nicoll's attempt to have Albert Stetson, who was Juror No. 4 in the Levy-Lehman case, punished by Judge Bookstaver for contempt of court, attracted so many spectators yesterday that shortly after 10:30 a. m. Trial Term, Part VI., was jammed to the doors. Mr. Stetson appeared in obedience to an order to show cause why he should not be punished for contempt of court in having accused Mr. Nicoll of irregular practice.

It was charged that he had said Mr. Nicoll had caused Juror No. 3 (Henry Syren) to be "approached," so that Justice Bookstaver might be forced to dismiss the jury. Mr. Nicoll declared that Stetson said: "You saw the case was going against you, and you adopted this means to prevent it from going to the jury."

But when Mr. Stetson faced Justice Bookstaver yesterday morning he asserted that he had made no such statement. His counsel, Mr. Adam Frank, put him on the stand, and, in accordance with Justice Bookstaver's suggestion, Mr. Stetson made the following statement under oath:

"Your Honor, I never in any talk I had, said anything that I had in my mind, had any intention of reflecting upon the Court, or the jury. I had no idea that I was doing anything else than talking to Mr. Nicoll. I would consider it the act of a madman to make any remarks reflecting upon the Court, or even upon Mr. Nicoll himself."

ONLY TOLD WHAT THE JUROR SAID.
"While I was sitting in the box as a juror, another juror immediately behind me touched me on the shoulder and said: 'Nicoll sees that he is losing the case and is taking this way to end it.'"

"I said to Mr. Nicoll: 'One of the jurors has made a statement to me that you saw the case was going against you and ended it in this way.' I had no intention to reflect upon Your Honor. I know your standing in this community too well to reflect in any way upon your Honor."

"Don't you recall saying that the discharge of the jury was an outrage?" Mr. Nicoll asked.

"Never," Mr. Stetson exclaimed. "I said that the outrage consisted in the fact that some meddlesome person had committed an outrage by speaking to the jury."

Mr. Stetson declared at first that he didn't know the remark to him, but finally admitted that it was the eighth juror. Then Mr. Nicoll said to Mr. Stetson: "Did you mean your remarks to charge me with improper conduct?"

A PETITION FOR IMPEACHMENT.
"I did not," said Mr. Stetson.

Mr. Nicoll told Justice Bookstaver he had been informed by a newspaper man in whom he had confidence that Mr. Stetson had threatened to circulate a petition for the impeachment of his Honor, William Well, who was one of the witnesses for Levy during the trial, and George Jurassich, a reporter, testified that they had overheard Mr. Stetson's remark to Mr. Nicoll, and that Mr. Stetson had made no mistake in speaking to Justice Bookstaver.

Mr. Stetson stated in his affidavit what Stetson said to me, and there is no reason why I should change it in any way. I don't think it is proper to say that Mr. Stetson denounced Your Honor's action in discharging the jury as a damned outrage. I think that Your Honor ought to find me guilty of contempt."

"There is no question about it that Stetson did make a serious accusation against me. He has given me no cause for my charges. I say that the making in court of an accusation against an officer of the court is contempt of court. I hope Your Honor will take the matter under advisement and see that Stetson gets the punishment he deserves."

Mr. Nicoll said that he had been nearly all night long trying to bring about a decent administration of justice, would do as charged by Stetson is an outrage."

Lawyer Frank said his client had not committed contempt of court. Mr. Nicoll said that he had no cause for his remark made by another juror. There was nothing to show that Mr. Stetson had not repeated the remark to Mr. Nicoll in a friendly motive. "Anyway," said Mr. Frank, Mr. Stetson said nothing reflecting upon the integrity of the most honorable court."

JUROR STETSON PAROLED.

Justice Bookstaver gave counsel twenty-four hours in which to hand up briefs and promised to examine the testimony. He paroled Mr. Stetson in Lawyer Frank's custody until Monday, when he said he would probably render a decision.